



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
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[www.morgantownwv.gov](http://www.morgantownwv.gov)

January 17, 2013

Adelheid Schaupp  
208 Dewey Street  
Morgantown, WV 26505

**RE: CU13-02 / Schaupp / 502 White Avenue  
Tax Map 36, Parcels 712.1 and 712.2**

Dear Ms. Schaupp:

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced conditional use petition for the "Re-Use of a Closed/Vacant School or Church" at 502 White Avenue. The decision is as follows:

**Board of Zoning Appeals, January 16, 2013:**

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board approved your conditional use petition with the following conditions:
  - a. That a scaled site plan, to the satisfaction of the Planning Division, be submitted with the building permit application that, among other elements, illustrates the location, design, and grade of parking areas and all existing and proposed facilities and amenities serving the site.
  - b. That no less than eight (8) onsite parking spaces be designed and developed to the satisfaction of the Planning Division and the City Engineer and that each dwelling unit have a signed and designed parking space.
  - c. That the Board reserves the right to require the development of additional onsite and/or offsite parking if it later finds that the development contributes to traffic and/or parking congestion and/or adversely impacts the preservation and enjoyment of property within the immediate area.
  - d. That the number of dwelling units, bedroom configuration, and the gross floor area for each of the dwelling units may not be increased beyond that illustrated on the plans submitted to and approved by the Board of Zoning Appeals without prior approval of the Board.
  - e. That the development meets all applicable federal Fair Housing and Americans with Disabilities Act standards as determined by the City's Chief Building Code Official.
  - f. That the applicant must submit, to the satisfaction of the Planning Division and City Engineer, a solid waste storage and removal plan prior to building permit issuance.

- g. That the petitioner must obtain subdivision approval from the Planning Commission to combine the two (2) existing parcels onto one parcel prior to the issuance of any occupancy permit.

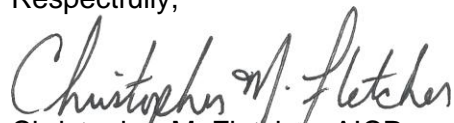
The approval of this conditional use is set to expire in twelve (12) months unless you can demonstrate that it has been acted upon as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the applicant.

Please note that requisite building permits must be obtained prior to the commencement of any work.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and approval needs.

Respectfully,

A handwritten signature in black ink that reads "Christopher M. Fletcher". The signature is written in a cursive, flowing style.

Christopher M. Fletcher, AICP  
Director of Development Services  
cfletcher@cityofmorgantown.org

## **ADDENDUM A – Approved Findings of Fact**

### **CU13-02 / Schaupp / 502 White Avenue**

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**Finding of Fact No. 1** – Congestion in the streets is not increased, in that:

The building is already currently being utilized as a public meeting place. The conversion of building into seven (7) units should decrease the daily traffic in and around the building.

**Finding of Fact No. 2** – Safety from fire, panic, and other danger is not jeopardized, in that:

The building is easily accessible to emergency vehicles and all dwelling units will be sprinkled and built to current safety and fire codes.

**Finding of Fact No. 3** – Provision of adequate light and air is not disturbed, in that:

The building is located on half an acre on the corner lot with few surrounding buildings. The structure is also located on the top of a hill which allows for both light and air without disturbing neighboring houses. The proposed redevelopment of building will be contained within the structure's existing footprint and building height thereby not disturbing current light and air characteristics.

**Finding of Fact No. 4** – Overcrowding of land does not result, in that:

The petitioner will be using the existing footprint of the building and existing parking spaces when feasible. Additional parking will be provided on a now vacant lot. The former school's existing scale and scope will be preserved and not increased.

**Finding of Fact No. 5** – Undue congestion of population is not created, in that:

Seven (7) one-bedroom units will only allow for seven (7) occupants. This should be less people than who currently use the building for meetings daily. The building was originally a school and was built to accommodate larger groups. The gross floor area of the structure will not be increased.

**Finding of Fact No. 6** – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

The petitioner will be able to use existing water and sewage hook-ups with the addition of sprinkler requirements. Other public requirements should not be adversely impacted. The surrounding neighborhood appears to enjoy an eclectic mix of residential units including the conversion of the former Second Ward School on Wilson Avenue into multi-family apartments. The proposed project will convert an underutilized and blighting structure into a neighborhood contributing property while respecting the architectural significance of the structure as well as the quality and character of the community. It is not anticipated that the proposed reuse to seven one-bedroom loft apartments will result in increased in vehicular and pedestrian traffic within the neighborhood.

**Finding of Fact No. 7** – Value of buildings will be conserved, in that:

The building is currently in a state of disrepair. Renovation of the building and proposed park should considerably add value to the property and surrounding area.

**Finding of Fact #8** – The most appropriate use of land is NOT encouraged, in that:

The upper half of the lot will be most efficiently used as apartments and parking as adequate space appears to be available. The bottom half of the lot does not need to be incorporated into the apartment building but rather could be used more effectively as a neighborhood park.